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EXAMINER

FLEURANTIN, JEAN B

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2172

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/917,675

Applicant(s)

GOEL ET AL.

Examiner

Jean B Fleurantin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-43 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This is in response to the amendment filed 12 March 2004, in which claims 1-43 remain pending for examination. Examiner discusses the newly added claims 39-43 in the following rejection.

Response to Arguments

2. Applicant's arguments filed 12 March 2004 with respect to claims 1-43 have been fully considered but, have been found persuasive only to the extent that the prior art of record does not specifically teach the limitations "wherein the local device is a personal computing device." However, Sullivan teaches such limitations.

In response to applicant arguments on page 10, that Corey fails to describe or suggest "comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device to derive a first result". It is submitted that Corey discloses the claimed limitations as follow: "comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device to derive a first result" as to distribute a user query to each of the search engines (col. 5, lines 15-21), transform the user query into queries acceptable to the various search engines, wherein the input query input interface module outputs these queries to their corresponding search engine controllers (col. 5, lines 27-34), upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input (col. 5, lines 42-62) and "comparing the received search term with electronic content that is

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stored on a remote device to derive a second result” as to distribute a user query to each of the search engines (col. 5, lines 15-21), transform the user query into queries acceptable to the various search engine, wherein the input query input interface module outputs these queries to their corresponding search engine controllers (col. 5, lines 27-34), upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 42-62; col. 6, lines 9-23), Applicant should duly note that before generating a query result, the search engine has to compare the user query terms with the information data or search terms stored in the database (item 42).

MPEP 2111 Claim Interpretation; Broadest Reasonable Interpretation

During patent examination, the pending claims must be “given the broadest reasonable interpretation consistent with the specification” Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969). The court found that applicant was advocating ... the impermissible importation of subject matter from the specification into the claim. See also In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that the PTO is not required, in the course of prosecution, to interpret claims in applications in the same manner as a court would interpret claims in an infringement suit. Rather, the “PTO applies to verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, taking into account whatever enlightenment by way of definition or otherwise that may be afforded by the written description contained in application’s specification.”).

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The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).

For the above reasons, it is believed that the last Office Action was proper.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 5,987,446 issued to Corey et al. (hereinafter "Corey").

As per claim 9, Corey discloses "wherein comparing the received search term includes comparing the received search term, in response to the single query, with indexed electronic content stored on a first local device and with indexed electronic content stored on a second local device" as upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 29-42; col. 7, lines 8-23). Corey does not explicitly disclose the use of networking the first local and second local device using a local area network (LAN). It is well known in the art that LAN is a group of computers or nodes that are connected by a cable or a telephone line through which messages are transmitted. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Corey's system by utilizing the telephone network as described by Corey, (see

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col. 23, lines 18-21) in order to connect the literal search engine (item 34) with the semantic similarity search engine (item 38), and to improve the accuracy and the reliability of the enabling a search for both local remote electronic content, thereby enabling one device to interact with other on the network.

As per claim 28, Corey discloses “wherein the comparing code segment causes the computer to compare the received search term, in response to the single query, with indexed electronic content stored on a first local device and with indexed electronic content stored on a second local device” as upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 29-42; col. 7, lines 8-23). Corey does not explicitly disclose the use of networking the first local and second local device using a local area network (LAN). It is well known in the art that LAN is a group of computers or nodes that are connected by a cable or a telephone line through which messages are transmitted. It would have been obvious to one having or ordinary skill in the art at the time the invention was made to modify Corey’s system by utilizing the telephone network as described by Corey, (see col. 23, lines 18-21) in order to connect the literal search engine (item 34) with the semantic similarity search engine (item 38), and to improve the accuracy and the reliability of the enabling a search for both local remote electronic content, thereby enabling one device to interact with other on the network.

4. Claims 1-8, 10-27, 29-39, 41 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,987,446 issued to Corey et al. (hereinafter “Corey”) in view of U.S. Patent No. 6,105,028 issued to Sullivan et al. (hereinafter “Sullivan”).

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As per claims 1 and 43, Corey discloses an analogous system that teaches an information retrieval system, which includes a plurality of text engines based on substantially different computational searching techniques. Corey states by activating each search engine with input from a user information request, the output from each of the search engine is combined into a single list information items.

In particular, Corey discloses the claimed limitations “receiving a single query that includes at least one search term” as a means of allowing a user to input a query for a desired information, (col. 5, lines 10-15);

“comparing the received search term automatically in response to the single query with indexed electronic content that is stored on a local device to derive a first result” as to distribute a user query to each of the search engines (col. 5, lines 15-21), transform the user query into queries acceptable to the various search engines, wherein the input query input interface module outputs these queries to their corresponding search engine controllers (col. 5, lines 27-34), upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input (col. 5, lines 42-62) and “comparing the received search term with electronic content that is stored on a remote device to derive a second result” as to distribute a user query to each of the search engines (col. 5, lines 15-21), transform the user query into queries acceptable to the various search engine, wherein the input query input interface module outputs these queries to their corresponding search engine controllers (col. 5, lines 27-34), upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 42-62; col. 6, lines 9-23), Applicant should duly

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note that before generating a query result, the search engine has to compare the user query terms with the information data or search terms stored in the database (item 42);

“combining the first result and the second result into an amalgamated result” as outputting from each of the search engine each reference that contains the information desired by the user (col. 6, lines 50-56) and generating a single, combined ranked list of information item from at least the highest ranked, (col. 6, lines 56-62); and

“displaying the amalgamated result” as a means of displaying to the user the information items, (col. 6, lines 62- 67; col. 7, lines 1-12). Corey does not explicitly disclose wherein the local device is a personal computing device. However, Sullivan discloses a method of accessing document whether the local computer is connected to the network, (see Sullivan col. 1, lines 55-67), and further in column 9, line 65 to column 10, line 6, Sullivan discloses the steps of accessing, in which the client computer (local computer) (300) sends a query request to the remote network device by selecting the selected image. It would have been obvious to one having or ordinary skill in the art at the time the invention was made to modify the combined teachings of Corey and Sullivan with system disclose wherein the local device is a personal computing device. Such modification would allow Corey and Sullivan’s system the enhanced capability of locally accessing information stored in the personal computing device, thereby preserving the efficiency of the system.

As per claims 2 and 21, in addition to claim 1, Corey does not explicitly discloses operating system. However, Sullivan discloses an operating system, (see Sullivan col. 3, lines 60-62). It would have been obvious to one having or ordinary skill in the art at the time the invention was made to modify the combined teachings of Corey and Sullivan with an operating

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system. Such modification would allow Corey and Sullivan's system the enhanced capability of locally accessing information stored in the personal computing device, thereby preserving the efficiency of the system.

As per claim 3, Corey states that upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (see col. 5, lines 42-62; col. 6, lines 9-23); therefore Corey reads on the claimed features "wherein comparing the received search term includes simultaneously comparing the received search term with the indexed electronic content stored on the local device and the electronic content stored on the remote device."

As per claim 4, Corey discloses "wherein the amalgamated result is displayed without indicating whether the amalgamated result was derived from the first result or the second result" as a means of displaying to the user the information items, (see col. 6, lines 62- 67; col. 7, lines 1-12).

As per claim 5, Corey states that upon receiving a command, search engine performs the search on the term lookup database in order to satisfy the query input (see col. 5, lines 42-62; col. 6, lines 9-23); therefore Corey reads on the claimed features "wherein comparing the received search term includes comparing based on a single input action by a user."

As per claim 6, Corey states that upon receiving a command, search engine performs the search on the term lookup database in order to satisfy the query input (see col. 5, lines 42-62; col. 7, lines 8-23); therefore Corey reads on the claimed features "wherein comparing the receiving search term automatically in response to the single input action by the user includes performing a first comparison of the received search term with the indexed electronic content stored on the

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local device and a separate time, performing a second comparison of the received search term with the electronic content stored on the remote device.”

As per claim 7, Corey discloses “wherein comparing against content stored on the local device and content stored on the remote device based on a single action received from a user is performed automatically in a default state such that the user need not pre-select to compare the received search term with both the indexed electronic content stored on the local device and the electronic content stored on the remote device” as a means of receiving commands and query data from the literal search engine controller 34 and performs a search on the search term lookup data base 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, more particularly the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-56).

As per claim 8, Corey discloses “wherein comparing against content stored on the local device and content stored on the remote device based on a single action received from a user is performed with the user pre-selecting to compare the received search term with both the indexed electronic content stored on the local device and the electronic content stored on the remote device” as upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 29-42; col. 7, lines 8-23).

As per claim 10, Corey discloses “creating an index based on the electronic content stored on the local device, wherein comparing the received search term includes comparing the received search term with the index” as upon receiving the commands, the search engine

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performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 29-42; col. 7, lines 8-23).

As per claim 11, Corey discloses “wherein creating the index includes creating the index at an event pre-designated by a user of the local device” as upon receiving commands and query data from the literal search engine controller 34, in which performs a search on the search term lookup data base 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, (see col. 5, lines 43-48).

As per claim 12, Corey discloses “wherein creating the index includes creating the index on-demand in response to an action by a user of the local device” as a means of performing a search on the search term lookup data base 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, (see col. 5, lines 45-48).

As per claim 13, Corey discloses “creating an inverted index based on the electronic content stored on the local device” (see col. 6, lines 17-23), “wherein comparing the received search term includes comparing the received search term with the inverted index” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 14, Corey discloses “creating an index based on the electronic content stored on the remote device” (see col. 6, lines 17-23), “wherein comparing the received search

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term includes comparing the received search term with the index” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 15, Corey discloses “creating an index based on the electronic content stored on the remote device” (see col. 6, lines 17-23), “wherein comparing the received search term includes comparing the received search term with the index” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 16, Corey discloses “creating a local inverted index based on the electronic content stored on the remote device” (see col. 6, lines 17-23), “wherein comparing the received search term includes comparing the received search term with the local inverted index” as a means for receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 17, Corey discloses “wherein comparing the received search term includes performing a single comparison of the received search term with both the indexed electronic content stored on the local device and the electronic content stored on the remote device” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 18, Corey discloses “in response to an action of a user of the local device, designating at least one type of indexed electronic content stored on the local device for comparison with the received search term” as a means of receiving commands and query data from the literal search engine controller 34 reforms a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, more particularly the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a database, (see col. 5, lines 43-51).

As per claim 19, Corey discloses “in response to an action of a user of the local device, designating at least one file location of the indexed electronic content a stored on the local device for comparison with the received search term” as a means of receiving commands and query data from the literal search engine controller 34 reforms a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, more particularly the literal search engine 14 may be viewed as a

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substantially conventional text string matching search engine that is designed for searching a database, (see col. 5, lines 43-51).

As per claim 20, Corey discloses an analogous system that teaches an information retrieval system, which includes a plurality of text engines based on substantially different computational searching techniques. Corey states by activating each search engine with input from a user information request, the output from each of the search engine is combined into a single list information items.

In particular, Corey discloses the claimed limitations “a receiving code segment that causes the computer to receive a single query that includes at least one search term” as a means of allowing a user to input a query for a desired information, (col. 5, lines 10-15);

“a comparing code segment that causes the computer to compare the received search term automatically in response to the single query with indexed electronic content that is stored on a local device to derive a first result” as to distribute a user query to each of the search engines (col. 5, lines 15-21), transform the user query into queries acceptable to the various search engines, wherein the input query input interface module outputs these queries to their corresponding search engine controllers (col. 5, lines 27-34), upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input (col. 5, lines 42-62) and “comparing the received search term with electronic content that is stored on a remote device to derive a second result” as to distribute a user query to each of the search engines (col. 5, lines 15-21), transform the user query into queries acceptable to the various search engine, wherein the input query input interface module outputs these queries to their corresponding search engine controllers (col. 5, lines 27-34), upon receiving the commands,

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the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 42-62; col. 6, lines 9-23);

“a combining code segment that causes the computer to combine the first result and the second result into an amalgamated result” as outputting from each of the search engine each reference that contains the information desired by the user (col. 6, lines 50-56) and generating a single, combined ranked list of information item from at least the highest ranked (col. 6, lines 56-62); and

“a displaying code segment that causes the computer to display the amalgamated result” as a means of displaying to the user the information items (col. 6, lines 62- 67; col. 7, lines 1-12). Applicant should duly note that before generating a query result, the search engine has to compare the user query terms with the information data stored in the database (item 42). Corey does not explicitly disclose wherein the local device is a personal computing device. However, Sullivan discloses a method of accessing document whether the local computer is connected to the network, (see Sullivan col. 1, lines 55-67), and further in column 9, line 65 to column 10, line 6, Sullivan discloses the steps of accessing, in which the client computer (local computer) (300) sends a query request to the remote network device by selecting the selected image. It would have been obvious to one having or ordinary skill in the art at the time the invention was made to modify the combined teachings of Corey and Sullivan with system disclose wherein the local device is a personal computing device. Such modification would allow Corey and Sullivan’s system the enhanced capability of locally accessing information stored in the personal computing device, thereby preserving the efficiency of the system.

As per claim 22, Corey states that upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input (see col. 5, lines 42-62; col. 6, lines 9-23); therefore Corey reads on the claimed features “wherein the comparing code segment causes the computer to simultaneously compare the received search term with the indexed electronic content stored on the local device and the electronic content stored on the remote device.”

As per claim 23, Corey discloses, “wherein the amalgamated result is displayed without indicating whether the amalgamated result was derived from the first result or the second result” as a means of displaying to the user the information items, (see col. 6, lines 62- 67; col. 7, lines 1-12).

As per claim 24, Corey states that upon receiving a command, search engine performs the search on the term lookup database in order to satisfy the query input (see col. 5, lines 42-62; col. 6, lines 9-23); therefore Corey reads on the claimed features “wherein the comparing code segment causes the computer to compare based on a single input action by a user.”

As per claim 25, Corey states that upon receiving a command, search engine performs the search on the term lookup database in order to satisfy the query input (see col. 5, lines 42-62; col. 7, lines 8-23); therefore Corey reads on the claimed features “wherein the comparing code segment causes the computer to perform a first comparison of the received search term with the indexed electronic content stored on the local device and, a separate time, perform a second comparison of the received search term with the electronic content stored on the remote device.”

As per claim 26, Corey discloses “wherein comparing the comparing code segment that causes the computer to compare against content stored on the local device and content stored on

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the remote device based on a single action received from a user is causes the computer to perform automatically in a default state such that the user need not pre-select to compare the received search term with both the indexed electronic content stored on the local device and the electronic content stored on the remote device” as a means of receiving commands and query data from the literal search engine controller 34 and performs a search on the search term lookup data base 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, more particularly the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-56).

As per claim 27, Corey discloses “wherein the comparing code segment that causes the computer to compare against content stored on the local device and content stored on the remote device based on a single action received from a user causes the computer to perform with the user pre-selecting to compare the received search term with both the indexed electronic content stored on the local device and the electronic content stored on the remote device” as upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 29-42; col. 7, lines 8-23).

As per claim 29, Corey discloses “an index creating code segment causes the computer to create an index based on the electronic content stored on the local device, wherein comparing the received search term includes comparing the received search term with the index” as upon receiving the commands, the search engine performs the search on the term lookup database in order to satisfy the query input, (col. 5, lines 29-42; col. 7, lines 8-23).

As per claim 30, Corey discloses “wherein creating the index creating the code segment causes the computer to create the index at an event pre-designated by a user of the local device” as upon receiving commands and query data from the literal search engine controller 34, in which performs a search on the search term lookup data base 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, (see col. 5, lines 43-48).

As per claim 31, Corey discloses “wherein the index creating code segment causes the computer to create the index on-demand in response to an action by a user of the local device” as a means of performing a search on the search term lookup data base 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, (see col. 5, lines 45-48).

As per claim 32, Corey discloses “an index creating code segment that causes the computer to create an inverted index based on the electronic content stored on the local device” (see col. 6, lines 17-23), “wherein comparing code segment causes the computer to compare the received search term with the inverted index” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 33, Corey discloses “an index creating code segment that causes the computer to create an index based on the electronic content stored on the remote device” (see

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col. 6, lines 17-23), “wherein the comparing code segment causes the computer to compare the received search term with the index” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 34, Corey discloses “a local index creating code segment that causes the computer to create a local index based on the electronic content stored on the remote device” (see col. 6, lines 17-23), “wherein comparing code segment causes the computer to compare the received search term with the local index” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 35, Corey discloses “a local index creating code that causes the computer to create a local inverted index based on the electronic content stored on the remote device” (see col. 6, lines 17-23), “wherein the comparing code segment causes the computer to compare the received search term with the local inverted index” as a means for receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a

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substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 36, Corey discloses “wherein comparing code segment causes the computer to perform a single comparison of the received search term with both the indexed electronic content stored on the local device and the electronic content stored on the remote device” as a means of receiving commands and query data from the literal search engine controller 34, performs a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a data base, (see col. 5, lines 43-51).

As per claim 37, Corey discloses “in response to an action of a user of the local device, designating code segment that causes the computer designate at least one type of indexed electronic content stored on the local device for comparison with the received search term” as a means of receiving commands and query data from the literal search engine controller 34 reforms a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine fourteen, more particularly the literal search engine fourteen may be viewed as a substantially conventional text string matching search engine that is designed for searching a database, (see col. 5, lines 43-51).

As per claim 38, Corey discloses “in response to an action of a user of the local device, designating code segment that causes the computer to designate at least one file location of the indexed electronic content a stored on the local device for comparison with the received search term” as a means of receiving commands and query data from the literal search engine controller

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34 reforms a search on the search term lookup database 42 for determining references or indexes to information items that satisfy the query input to the literal search engine 14, more particularly the literal search engine 14 may be viewed as a substantially conventional text string matching search engine that is designed for searching a database, (see col. 5, lines 43-51).

As per claims 39 and 41,
the limitations of claims 39 and 41 are rejected in the analysis of claim 2, and these claims are rejected on that basis.

5. Claims 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,987,446 issued to Corey et al. (hereinafter "Corey") in view of U.S. Patent No. 6,105,028 issued to Sullivan et al. (hereinafter "Sullivan") as applied to claims 2 and 21 above, and further in view of Yong Meng TEO – An Expert System for Performance Evaluation of UNIX-BASED Computer Systems – 1994 (hereinafter "Yong Meng TEO").

As per claims 40 and 42, in addition to claim 1, Corey does not explicitly disclose Unix-based operating system. However, Yong Meng TEO discloses Unix based operating system, (see Yong Meng TEO page 251, col. 1, paragraph 4). It would have been obvious to one having or ordinary skill in the art at the time the invention was made to modify the combined teachings of Corey, Sullivan and Yong Meng TEO with Unix-based operating system. Such modification would allow Corey, Sullivan and Yong Meng TEO to improve the performance of the enabling a search for both local and remote electronic content.

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Prior Art

6. The prior art of record and not relied on upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,991,760 issued to Gauvin et al.

U.S. Patent No. 6,061,686 issued to Gauvin et al.

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Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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CONTACT INFORMATION

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B Fleurantin whose telephone number is 703-308-6718.


The examiner can normally be reached on 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John B Breene can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jean Bolte Fleurantin

May 16, 2004


SHAHID ALAM
PRIMARY EXAMINER